

In the
Indiana Supreme Court

JULIE PERRY, ELZIE D. HALE)
and THERESA A. HALE)

vs.)

ROGER PERRY, ALMA PERRY,)
DAVID W. WOOLF, JERALD)
PERRY and DAVID M. PETERS)

Supreme Court No. 03S00-0410-SJ-449

Case No. 03D01-0202-MF-219
in the Bartholomew Superior Court



ORDER REMANDING JURISDICTION TO TRIAL COURT

Comes now the Clerk of the Bartholomew Superior Court, and pursuant to Ind.Trial Rule 53.1, certifies this matter here for the appointment of a special judge.


And this Court, being duly advised, now finds that jurisdiction of this matter should be remanded to the Bartholomew Superior Court and Special Judge Judith A. Stewart. The pleadings and Chronological Case Summary indicate that the motion upon which the trial court allegedly failed to rule, dealing with discovery issues, was filed after the court's ruling on the discovery matter. Further, the record indicates that the discovery matter is currently before the court on a motion to reconsider. Under this set of facts, remanding the case to Special Judge Stewart will best serve the goal of expediting the litigation.

IT IS, THEREFORE, ORDERED that jurisdiction of this matter is remanded to the Bartholomew Superior Court and Special Judge Stewart.

The Clerk of this Court is directed to forward notice of this Order to the Hon. Judith A. Stewart, Brown Circuit Court, Courthouse, P.O. Box 85, Nashville, IN 47448-0085, and to the Clerk of the Bartholomew Superior Court.

The Clerk of the Bartholomew Superior Court is directed to forward notice of this Order to all parties of record in the case below.

DONE at Indianapolis, Indiana, this 21st day of May, 2007.



Randall T. Shepard
Chief Justice of Indiana